

## Message Text

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TO AMEMBASSY TEHRAN

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E.O. 11652: N/A

TAGS:SHUM, TFOR, ICJU, PINT, IR, PORG

SUBJECT: INTERNATIONAL COMMISSION OF JURISTS' VISIT

1. SUMMARY: WILLIAM BUTLER, PRESIDENT OF AMERICAN SECTION OF INTERNATIONAL COMMISSION OF JURISTS ("ICJ") AND ANOTHER LAWYER WILL VISIT IRAN SEPT 29-OCT 8 AS PART OF ICJ STUDY OF INSTITUTIONAL PROTECTION OF HUMAN RIGHTS IN IRAN. EMB IS REQUESTED AS APPROPRIATE TO SEEK TO FACILITATE HIS ACCESS TO IRANIAN OFFICIALS KNOWLEDGABLE ABOUT THIS SUBJECT. END SUMMARY.

2. WILLIAM BUTLER (PRES OF AMERICAN SEC. OF ICJ, MEMBER OF ICJ, CHAIRMAN OF COMMITTEE ON HUMAN RIGHTS OF ASSOCIATION OF BAR OF CITY OF NEW YORK AND PARTNER IN N.Y. LAW FIRM) HAS ADVISED DEPT THAT HE IS PREPARING STUDY OF INSTITUTIONAL PROTECTION OF HUMAN RIGHTS IN IRAN ON BEHALF OF ICJ. AS PART OF STUDY HE WILL VISIT IRAN SEPT 28-OTC 8 ACCOMPANIED BY PROF. GEORGE LEVASSEUR (FRENCH ADVOCATE AND PROF OF INT'L AND COMPARATIVE LAW AT SORBO4NE.

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3. ICJ IS NON-GOVERNMENTAL ORGANIZATION WITH HEADQUARTERS IN GENEVA WHICH PERFORMS STUDIES OF UTILITY OF LEGAL INSTITUTIONS IN AREAS WHERE THERE HAS BEEN ALLEGATIONS

"OF A CONSISTENT PATTERN OF GROSS VIOLATIONS OF HUMAN RIGHTS." STUDIES HAVE INCLUDED CHILE, SOUTH KOREA, SOUTH AFRICA, URUGUAY AND GREECE, UNDER PREVIOUS GOVERNMENT. CURRENT STUDIES ARE OF PHILIPPINES AND IRAN. THOUGH GEOGRAPHIC FOCUS OF STUDIES APPEARS TO BE PRIMARILY UPON NON-COMMUNIST COUNTRIES, CONTENTS OF STUDIES IN DEPARTMENT'S VIEW HAVE BEEN NON-IDEOLOGICAL AND OBJECTIVE. AS CONSEQUENCE, ICJ'S REPORTS HAVE FAR BROADER CREDENCE IN U.S. AND ABROAD THAN ALLEGATIONS BY MANY OTHER NGO'S.

4. BUTLER HAS BEEN WORKING ON STUDY SINCE MARCH OF THIS YEAR, DRAWING UPON EXPATRIATE IRANIANS AND ACADEMIC SOURCES (E.G., PROFESSORS BILL, COTTAM AND CLINTON) AND HAS COMPILED A NUMBER OF CASE STUDIES OF DETENTIONS AND EXECUTIONS. BUTLER STATES THAT THIS INFORMATION INDICATES RETROGRESSION IN HUMAN RIGHTS BUT NOT NEARLY OF DEGREE ALLEGED BY AMNESTY INTERNATIONAL OR ASSOCIATION OF DEMOCRATIC LAWYERS.

5. BUTLER WOULD LIKE OPPORTUNITY TO MEET OFFICIALS IN MINISTRY OF JUSTICE, MEMBERS OF BAR ASSOCIATIONS, JUDGES IN TEHRAN, TABRIZ, MASHAD AND SHIRAZ. HOPES TO ACQUIRE INFORMATION ON DEVELOPMENT OF LAWS RELEVANT TO LAND REFORM AND HEALTH PROGRAMS; THE CODIFICATION OF CIVIL, CRIMINAL AND MILITARY LAW; LEGAL SAFEGUARDS FOR ACCUSED AND DETAINED PERSONS; THE LEGAL RIGHTS OF WOMEN; RELEVANCE OF LAW AND LEGAL PROCESSES TO AVERAGE IRANIAN CITIZEN. HE BELIEVES LATTER INFORMATION MIGHT BALANCE CRITICAL ASSESSMENTS HE HAS RECEIVED TO DATE.

6. BUTLER ADVISES THAT HE HAS DISCUSSED HIS STUDY WITH SENATOR KENNEDY AND CONGRESSMAN FRASER WHO HAVE STATED THEIR INTEREST IN USING IT AS FOCUS FOR HEARINGS WHEN COMPLETED.

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7. AT SUGGESTION OF DEPT OFFICERS LAST APRIL, BUTLER, AND HIS PREDECESSOR IN OFFICE, ELI WHITNEY DEBVOISE, WROTE TO AMBASSADOR ZAHEDI SEEKING APPOINTMENT AT WHICH THEY MIGHT DISCUSS ICJ PROJECT AND SOLICIT IRANIAN GOVERNMENT ASSISTANCE. AFTER LETTER AND SUBSEQUENT TELEPHONE CALLS FAILED TO ELICIT RESPONSE FOR TWO-MONTH PERIOD, REQUEST FOR APPOINTMENT WAS WITHDRAWN. INQUIRY BY DEPT CONFIRMED ABSENCE OF RESPONSE WAS NOT INADVERTENT

AND REFLECTED GENERAL GOI WARINESS ABOUT ANY FURTHER  
NGO STUDIES OF GOI POLICIES AND PRACTICES. NONTHELESS,  
GOI EVENTUALLY AGREED TO ISSUE VISA.

8. THOUGH IRANIAN EMB'S ATTITUDE AUGURS POORLY FOR

SUCCESS OF BUTLER'S VISIT, WE BELIEVE EMB SHOULD NEVERTHE-  
LESS ENDEAVOR TO BE RESPONSIVE TO REASONABLE FACILITATIVE  
REQUESTS BY BUTLER. WE REALIZE DIFFICULTY EMBASSY WOULD  
FACE IN ATTEMPTING TO INFLUENCE GOI ATTITUDE, BUT IF  
OPPORTUNITY PRESENTS ITSELF IT MIGHT BE USEFUL TO POINT  
OUT THAT COOPERATION WITH ICJ TEAM WOULD PROVIDE CHANCE  
TO EDUCATE IT ON REAL ADVANCES IN HUMAN RIGHTS AREA  
MADE UNDER SHAH-PEOPLE REVOLUTION (LAND REFORM, IMPROVE-  
MENTS IN LIFE OF PEASANTS AND WORKERS, WOMEN'S RIGHTS,  
DEVELOPMENT OF JUDICIAL SYSTEM, ETC.) THAT WOULD CONTRIBUTE  
TO BALANCED REPORTING. IN THIS REGARD WE NOTE CONGRESS-  
IONAL INTERESTS IN ICJ STUDY AND PROVISION IN SECTION  
502 (B) OF FOREIGN ASSISTANCE ACT, (ALSO APPLICABLE TO  
SALES UNDER FOREIGN MILITARY SALES ACT) THAT IN DETER-  
MINING SECTION'S APPLICABILITY, "CONSIDERATION SHALL BE  
GIVEN TO THE EXTENT OF COOPERATION BY SUCH GOVERNMENT  
IN PERMITTING AN UNIMPEDED INVESTIGATION OF ALLEGED  
VIOLATIONS OF INTERNATIONALLY RECOGNIZED HUMAN RIGHTS BY  
APPROPRIATE INTERNATIONAL ORGANIZATIONS." SISCO

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